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Paper No.

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WASHINGTON, DC 20001-4413

**MAILED**

**JUL 19 2010**

**OFFICE OF PETITIONS**

Applicant: Ishii : ON PETITION  
: under 37 CFR 1.183  
: and 37 CFR 1.705(d)  
Application No. 10/037,329 : REQUEST FOR RECONSIDERATION  
Filed: November 9, 2001 : OF PATENT TERM ADJUSTMENT  
Attorney Docket No.:09812-0170-00

The request for reconsideration of patent term adjustment under 37 CFR 1.183 to waiver of the requirements under 37 CFR 1.705(d) is GRANTED.

This is a decision on the petition filed on November 21, 2008, which is being treated as a petition under 37 CFR 1.705(d) requesting that the patent term adjustment indicated on the above-identified patent be corrected to indicate that the term of the above-identified patent is extended or adjusted in accordance with Wyeth v. Dudas, 580 F. Supp. 2d 138, 88 U.S.P.Q. 2d 1538 (D.D.C. 2008).

The petition to correct the patent term adjustment indicated on the above-identified patent to indicate that the term of the above-identified patent is extended or adjusted according to the decision, which results in one thousand nine hundred sixty-five days (1965) is **GRANTED**.

The application is being forwarded to the Certificates of Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by one thousand sixty-five (1965) days.

The Office acknowledges submission of the \$200.00 fee set forth in 37 CFR 1.18(e). No additional fees are required.

Telephone inquiries specific to this matter should be directed to Maria Nuzzolillo, (571) 272-8150.

/Kery Fries/

Kery Fries  
Senior Legal Advisor  
Office of Patent Legal Administration  
Office of Associate Commissioner for  
Patent Examination Policy

Cc: Adjusted PTA Calculation  
Draft Certificate of Correction

## PALM INTRANET

Day : Monday  
Date : 7/19/2010  
Time : 07:40:55

| PTA Calculations for Application: 10/037329 |            |  |                         |      |       |
|---|------------|--|-------------------------|------|-------|
| Application Filing Date:                    |            | 11/09/2001   | PTO Delay (PTO):        |      | 1295  |
| Issue Date of Patent:                       |            | 05/27/2008   | Three Years:            |      | 0     |
| Pre-Issue Petitions:                        |            | 0  | Applicant Delay (APPL): |      | 0     |
| Post-Issue Petitions:                       |            | 0  | Total PTA (days):       |      | 1965  |
| PTO Delay Adjustment:                       |            | 670  |                         |      |       |
| File Contents History                       |            |  |                         |      |       |
| Number                                      | Date       | Contents Description   | PTO                     | APPL | START |
| 67  | 07/18/2010 | ADJUSTMENT OF PTA CALCULATION BY PTO                               | 670                     |      |       |
| 62.5  | 05/07/2008 | PTA 36 MONTHS  | 125                     |      |       |
| 62  | 05/27/2008 | PATENT ISSUE DATE USED IN PTA CALCULATION                          |                         |      |       |
| 61  | 03/11/2008 | EXPORT TO FINAL DATA CAPTURE                                       |                         |      |       |
| 60  | 03/06/2008 | DISPATCH TO FDC  |                         |      |       |
| 59  | 03/06/2008 | APPLICATION IS CONSIDERED READY FOR ISSUE                          |                         |      |       |
| 58  | 02/27/2008 | ISSUE FEE PAYMENT VERIFIED   |                         |      |       |
| 57  | 02/27/2008 | ISSUE FEE PAYMENT RECEIVED   |                         |      |       |
| 56  | 11/29/2007 | MAIL CORRECTED NOTICE OF ALLOWANCE                                 |                         |      |       |
| 55  | 11/29/2007 | CORRECTED NOTICE OF ALLOWANCE                                      |                         |      |       |
| 54  | 11/29/2007 | MAIL CORRECTED NOTICE OF ALLOWANCE (RESPONSE PERIOD NOT RESTARTED) |                         |      |       |
| 53  | 11/29/2007 | CORRECTED NOTICE OF ALLOWANCE                                      |                         |      |       |
| 52  | 11/16/2007 | MAILING CORRECTED NOTICE OF ALLOWABILITY                           |                         |      |       |
| 51  | 11/15/2007 | CORRECTED NOTICE OF ALLOWABILITY                                   |                         |      |       |
| 50  | 09/25/2007 | FINISHED INITIAL DATA CAPTURE                                      |                         |      |       |
| 49  | 08/22/2007 | MAILING CORRECTED NOTICE OF ALLOWABILITY                           |                         |      |       |
| 48  | 08/21/2007 | CORRECTED NOTICE OF ALLOWABILITY                                   |                         |      |       |
| 47  | 08/06/2007 | EXPORT TO INITIAL DATA CAPTURE                                     |                         |      |       |
| 46  | 07/26/2007 | MAIL MISCELLANEOUS COMMUNICATION TO APPLICANT                      |                         |      |       |
| 45  | 07/18/2007 | MISCELLANEOUS COMMUNICATION TO APPLICANT - NO ACTION COUNT         |                         |      |       |
| 44  | 07/19/2007 | MAIL NOTICE OF ALLOWANCE   |                         |      |       |
| 43  | 07/19/2007 | MAIL EXAMINER'S AMENDMENT  |                         |      |       |
| 42  | 05/17/2007 | ISSUE REVISION COMPLETED   |                         |      |       |
| 41  | 05/15/2007 | ALLOWED CASE RETURNED TO THE EXAMINER FOR CLERICAL PROCESSING      |                         |      |       |
| 40  | 05/15/2007 | DOCUMENT VERIFICATION  |                         |      |       |
| 39  | 03/24/2006 | MISCELLANEOUS INCOMING LETTER                                      |                         |      |       |
| 38  | 05/14/2007 | NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED                    |                         |      |       |
| 37  | 05/14/2007 | EXAMINER'S AMENDMENT COMMUNICATION                                 |                         |      |       |
| 36  | 05/14/2007 | NOTICE OF ALLOWABILITY   |                         |      |       |
| 35  | 05/04/2007 | DATE FORWARDED TO EXAMINER   |                         |      |       |
| 34  | 04/25/2007 | RESPONSE AFTER NON-FINAL ACTION                                    |                         |      |       |
| 33  | 01/25/2007 | MAIL NON-FINAL REJECTION   |                         |      |       |
| 32  | 01/22/2007 | NON-FINAL REJECTION  |                         |      |       |
| 31  | 11/06/2006 | DATE FORWARDED TO EXAMINER   |                         |      |       |
| 30  | 10/17/2006 | RESPONSE AFTER NON-FINAL ACTION                                    |                         |      |       |
| 29  | 09/20/2006 | CASE DOCKETED TO EXAMINER IN GAU                                   |                         |      |       |
| 28  | 07/17/2006 | MAIL NON-FINAL REJECTION   |                         |      |       |
| 27  | 07/10/2006 | NON-FINAL REJECTION  |                         |      |       |
| 26  | 06/07/2006 | TRANSFER INQUIRY TO GAU  |                         |      |       |
| 25  | 04/19/2006 | DATE FORWARDED TO EXAMINER   |                         |      |       |
| 24  | 04/11/2006 | RESPONSE TO ELECTION / RESTRICTION FILED                           |                         |      |       |
| 23  | 03/24/2006 | MAIL RESTRICTION REQUIREMENT                                       | 1170                    |      | -1    |
| 22  | 03/21/2006 | CASE DOCKETED TO EXAMINER IN GAU                                   |                         |      |       |
| 21  | 03/20/2006 | REQUIREMENT FOR RESTRICTION / ELECTION                             |                         |      |       |
| 20  | 12/13/2005 | CASE DOCKETED TO EXAMINER IN GAU                                   |                         |      |       |
| 19  | 12/13/2005 | CASE DOCKETED TO EXAMINER IN GAU                                   |                         |      |       |
| 18  | 09/13/2005 | CORRESPONDENCE ADDRESS CHANGE                                      |                         |      |       |
| 17  | 09/13/2005 | CHANGE IN POWER OF ATTORNEY (MAY INCLUDE ASSOCIATE POA)            |                         |      |       |
| 16  | 11/13/2004 | IFW TSS PROCESSING BY TECH CENTER COMPLETE                         |                         |      |       |
| 15  | 11/09/2001 | REQUEST FOR FOREIGN PRIORITY (PRIORITY PAPERS MAY BE INCLUDED)     |                         |      |       |
| 14  | 07/14/2003 | CASE DOCKETED TO EXAMINER IN GAU                                   |                         |      |       |
| 13  | 12/03/2002 | CASE DOCKETED TO EXAMINER IN GAU                                   |                         |      |       |

|    |            |  |  |  |  |
|----|------------|--|--|--|--|
| 12 | 11/19/2002 | CASE DOCKETED TO EXAMINER IN GAU   |  |  |  |
| 11 | 08/25/2002 | RECEIPT OF ALL ACKNOWLEDGEMENT LETTERS   |  |  |  |
| 10 | 04/30/2002 | APPLICATION DISPATCHED FROM OIPE   |  |  |  |
| 9  | 04/29/2002 | APPLICATION IS NOW COMPLETE  |  |  |  |
| 8  | 03/27/2002 | ADDITIONAL APPLICATION FILING FEES   |  |  |  |
| 7  | 03/27/2002 | A STATEMENT BY ONE OR MORE INVENTORS SATISFYING THE REQUIREMENT UNDER 35 USC 115, OATH OF THE APPLIC |  |  |  |
| 6  | 02/25/2002 | REFERRED BY L&R FOR THIRD-LEVEL SECURITY REVIEW. AGENCY REFERRAL LETTER GENERATED                    |  |  |  |
| 5  | 02/06/2002 | NOTICE MAILED--APPLICATION INCOMPLETE--FILING DATE ASSIGNED  |  |  |  |
| 4  | 02/06/2002 | CORRESPONDENCE ADDRESS CHANGE  |  |  |  |
| 3  | 02/05/2002 | NOTICE MAILED--APPLICATION INCOMPLETE--FILING DATE ASSIGNED  |  |  |  |
| 2  | 01/22/2002 | IFW SCAN & PACR AUTO SECURITY REVIEW   |  |  |  |
| 1  | 11/09/2001 | INITIAL EXAM TEAM NN   |  |  |  |

Search Another: Application#

EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

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**CERTIFICATE OF CORRECTION**

PATENT : 7,379,760 B2

DATED : May 25, 2008

Draft

INVENTOR(S) : Ashii

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[\*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by (1965) days

Delete the phrase "by 1295 days" and insert -- by 1965 days--